

**SANTA ROSA BOARD OF PUBLIC UTILITIES MEETING MINUTES
THURSDAY, DECEMBER 17, 2009
CITY HALL COUNCIL CHAMBER, 100 SANTA ROSA AVENUE
REGULAR MEETING**

1:33 p.m. Mayor's Conference Room

carried unanimously. AYES (6) NO (0)
ABSENT (0) ABSTAIN (1) Galvin

ROLL CALL

STAFF BRIEFINGS - NONE

Present (7) Chairman Dowd, Vice Chair Swinth, Board Members Gale, Galvin, Holt, Lowe and Meechan

CONSENT ITEMS

STATEMENTS OF ABSTENTION BY BOARD MEMBERS

6.1 TERMINATION OF THE PROFESSIONAL SERVICES AGREEMENT WITH CITY OF SEBASTOPOL

Board Member Galvin stated that he would be abstaining from the approval of the minutes of November 19, 2009 because he was absent from that meeting. He also stated he would be abstaining from item 7.1 because the low bidder is a client of his firm.

MOTION:

Vice Chair Swinth moved to approve Resolution No. 971 entitled "Resolution of the Board of Public Utilities Approving the Termination of the Professional Services Agreement with the City of Sebastopol and Authorizing Staff to Give Notice". The motion was seconded by Board Member Gale and carried unanimously. AYES (7) NO (0) ABSENT (0) ABSTAIN (0)

STUDY SESSION

3.1 OAKMONT WASTEWATER TREATMENT PLANT – DISCUSSION OF FUTURE OPTIONS

6.2 INCREMENTAL RECYCLED WATER PROGRAM (IRWP) DISCHARGE COMPLIANCE PROJECT – PROFESSIONAL SERVICES AGREEMENT AMENDMENT NO.2 MERRITT SMITH CONSULTING

Dan Carlson, Deputy Director Utility Operations discussed the history of the Oakmont Treatment Plant that provides recycled water for golf course irrigation and reviewed the 1963 Agreement which it is operated by, between the City of Santa Rosa and the developer of the Oakmont community. Mr. Carlson explained that the Plant is aging and expensive to operate and maintain. He discussed the current costs of operation; options that could optimize operations and the anticipated costs for the next 10 years. Mr. Carlson commented that because of the costs associated with operation and maintenance, staff recommends that the Board consider the potential to cease operation of the Plant. The Board directed staff to look at potential options for the Plant including beginning discussions with the Oakmont golf course management about the ceasing of operations.

MOTION:

Vice Chair Swinth moved a motion to approve Amendment No. 2 to the Professional Services Agreement with Merritt Smith Consulting and authorizes the Chair to sign the Amendment to the Agreement. The motion was seconded by Board Member Gale and carried unanimously. AYES (7) NO (0) ABSENT (0) ABSTAIN (0)

Adjourn study session and reconvene to open session in City Council Chamber at approximately 2:32 p.m.

6.3 AMENDMENT TO THE FUNDING AGREEMENT FOR RESIDENTIAL CLOTHES WASHER REBATE PROGRAM

MOTION:

Vice Chair Swinth moved a motion to approve the "Amended Agreement for Administration of the City of Santa Rosa Water Conservation Program Funded in Fiscal Year 2008/2009" with the Sonoma County Water Agency and authorize the Chair to sign the Agreement. The motion was seconded by Board Member Gale and carried unanimously. AYES (7) NO

MINUTES APPROVAL

Vice Chair Swinth moved approval of the minutes for November 19, 2009. The motion was seconded by Board Member Holt and

**SANTA ROSA BOARD OF PUBLIC UTILITIES MEETING MINUTES
THURSDAY, DECEMBER 17, 2009
CITY HALL COUNCIL CHAMBER, 100 SANTA ROSA AVENUE
REGULAR MEETING**

(0) ABSENT (0) ABSTAIN (0)

6.4 BID AWARD – DEWATERING POLYMER SUPPLY CONTRACT

Board Member Lowe asked for clarification on the Request for Proposals process and asked what the other vendors costs were in comparison to the selected vendor. Jim Wright, Purchasing Agent responded that the proposals were scored based on a variety of criteria and staff was able to negotiate contract amounts with the vendor. Contract amounts for the other vendors are not published in the event that the recommended vendor is not selected and further negotiation is needed.

MOTION:

Board Member Lowe moved a motion to authorize the award of bid and issuance of a one-year term contract, with four one-year extension options, for the supply of dewatering polymer to the Laguna Treatment Plant with SNF Polydyne, Inc., Riceboro, Georgia, in the total amount of \$210,000. The motion was seconded by Board Member Galvin and carried unanimously. AYES (7) NO (0) ABSENT (0) ABSTAIN (0)

6.6 CONTRACT FOR ROOF REPLACEMENTS FILTER CONTROL AND CHEMICAL BUILDING – LAGUNA WASTEWATER TREATMENT PLANT – APPROVE A 5% CONTINGENCY

MOTION:

Board Member Lowe moved a motion to approve a 5% contingency for contract number 9027 to Best Contracting Services, Inc., Hayward, California, in the amount of \$7,545. The motion was seconded by Vice Chair Swinth and carried unanimously. AYES (7) NO (0) ABSENT (0) ABSTAIN (0)

6.5 APPROVAL OF AMENDMENT NO.2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH TLCD ARCHITECTURE TO PROVIDE ARCHITECTURAL CONSTRUCTION MANAGEMENT SERVICES FOR THE WEST COLLEGE UTILITIES FACILITIES PHASE 3 PROJECT

Board Member Holt asked why the City has to pay for an error on the consultant's part with Glen Wright, Deputy Director Water Resources explaining that the error was a clerical error in the overhead charges amounting to \$160,000 and was noticed after Amendment No.1 was awarded 10 months before. A decision was made to hold approval of an additional amendment until it was clear if further work would be needed. Board Member Galvin added that the Contract Review Subcommittee completed a thorough review of the Amendment and supported its approval.

MOTION:

Vice Chair Swinth moved a motion to approve Amendment No.2 to the Professional Services Agreement with TLCD Architecture in the amount of \$323,000, to provide additional construction management services for the West College Utilities Facility Phase 3 Project and authorize the Chair to execute the contract. The motion was seconded by Board Member Holt and carried unanimously. AYES (7) NO (0) ABSENT (0) ABSTAIN (0)

REPORT ITEMS

7.1 REPORT – CONTRACT AWARD – BISHOP DRIVE, BROOKSIDE DRIVE, CODDING DRIVE AND HOEN AVENUE SEWER AND WATER REPLACEMENT

Miles Ferris, Director of Utilities reported that this item would be removed from the agenda and brought back for consideration at a future meeting.

7.2 WATER SUPPLY UPDATE

Glen Wright, Deputy Director Water Resources reported that Lake Mendocino is currently at 34,631 acre feet with releases of 156 cubic feet per second. Lake Sonoma is currently at 182,956 acre feet with releases of 120 cubic feet per second. Flows at the Hacienda Bridge are being measured at 908 cubic feet per second. Mr. Wright then reported that 1770 Chinook had been counted and added that the SCWA rubber damn was coming down. The Cash for Grass Program has removed 989,000 square feet of turf to date and are close to hitting the 1 million

**SANTA ROSA BOARD OF PUBLIC UTILITIES MEETING MINUTES
THURSDAY, DECEMBER 17, 2009
CITY HALL COUNCIL CHAMBER, 100 SANTA ROSA AVENUE
REGULAR MEETING**

mark. He presented a chart that identified the total water savings per day/per Water Conservation Program. The total water savings is 4,014,662 gallons per day. He reported that there have been 600 Water Waste Incidents reported; nearly 900 high efficiency toilets have been installed; and nearly 800 high efficiency toilets rebates have been given. Mr. Wright then updated the Board on the water well levels at the Farmers Lane wells since the shutdown on November 23, 2009. Lastly he reported that the drilling of a test well on Martha Way is going well and will report back on the status at a future meeting.

8. PUBLIC COMMENTS ON NON-AGENDA MATTERS - NONE

9. REFERRALS

10. WRITTEN COMMUNICATION (And Possible Board Action)

11. SUBCOMMITTEE REPORTS

Vice Chair Swinth reported that the Budget Subcommittee will be meeting on January 19th. Dan Galvin reported that the Contract Review Subcommittee will be meeting on December 29, 2009.

12. BOARD MEMBER REPORTS

Vice Chair Swinth announced that she will be stepping down as Vice Chair at the beginning of the year to spend more time with her family but will continue as a member of the Board. She stated that she is planning to nominate Board Member Gale as her replacement. She thanked the Board and staff for their support. Chairman Dowd thanked Vice Chair Swinth for her time and would welcome more participation as her family situation allows.

Board Member Gale reported about a recent Neighborhood Alliance meeting that he attended and noted that there still seems to be a lack of understanding about rate increases.

Chairman Dowd reported that he and Board Member Holt attended the December 8, 2009 City Council meeting when the rate increases

were presented. He explained that there is still a need for a Public Information Program to improve the way information is disseminated to the public about what Utilities does and why. He will be working with the Mayor and Pat Fruht, Assistant to the City Manager, to look at such a program and will bring forward to the Board for input and then to Council.

13. DIRECTORS REPORT

Mr. Ferris reported that staff is preparing a study session for April to update the Board on the Statewide studies on contaminants of emerging concern. There is a Statewide Panel that is currently studying this issue and their monitoring recommendations will be available in March. Staff will also be reviewing recent scientific developments in this field and the City's monitoring program.

Chairman Dowd requested that the Board receive a rough calendar of Study Sessions for the next quarter so they can be aware of what is planned for future meetings. He also thanked the Board and staff for their work over the past year and wished everyone a happy holiday.

Suzanne Rawlings, Assistant City Attorney thanked the Board for a wonderful year and a happy holiday.

She then announced item 14.1 on the closed session and added that item 14.2 was not needed.

At 3:20 p.m., Board Member Lowe left for the remainder of the meeting.

14. ANNOUNCEMENT OF CLOSED SESSION ITEM(S) AND ADJOURNMENT TO CLOSED SESSION(S) (MAYOR'S CONFERENCE ROOM – ROOM 10)

14.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Subdivision (a) of Section 54956.9) City of Santa Rosa v. Sonoma County Water Agency, et al., Sonoma County Superior Court Case Number SCV – 245844

**SANTA ROSA BOARD OF PUBLIC UTILITIES MEETING MINUTES
THURSDAY, DECEMBER 17, 2009
CITY HALL COUNCIL CHAMBER, 100 SANTA ROSA AVENUE
REGULAR MEETING**

**14.2 CONFERENCE WITH LEGAL
COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: One potential case

15. RECONVENE TO OPEN SESSION

At approximately 3:54 p.m., the Board reconvened and Chairman Dowd announced that the Board had received an informational briefing from counsel and no action was taken.

16. ADJOURNMENT OF MEETING

At 3:55 p.m. the meeting was adjourned. The next regular meeting of the Board of Public Utilities will be held on Thursday, January 7, 2009 at approximately 1:30 p.m. in the Council Chamber, City Hall, 100 Santa Rosa Avenue, Santa Rosa.

Richard Dowd

Gina Perez